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12 *Attorneys for US Bank National Association as Trustee for Asset-
13 Backed Pass-Through Certificates, Series 2004-WWF1 by its
14 Attorney in Fact Wells Fargo Bank, N.A., Successor by Merger to
15 Wells Fargo Home Mortgage, Inc. and Wells Fargo Bank, N.A.,
16 named as America's Servicing Company*

17 [Additional Counsel on Signature Page]

18 IN THE UNITED STATES DISTRICT COURT
19 DISTRICT OF NEVADA

20 JEFFREY D. HART AND ANITA L. HART,

21 Plaintiffs,

22 vs.

23 US BANK NATIONAL ASSOCIATION
24 AS TRUSTEE FOR ASSET-BACKED
25 PASS-THROUGH CERTIFICATES,
26 SERIES 2004-WWF1 BY ITS ATTORNEY
27 IN FACT WELLS FARGO BANK, N.A.,
28 SUCCESSOR BY MERGER TO WELLS
FARGO HOME MORTGAGE, INC.;
AMERICA'S SERVICING COMPANY;
and NATIONAL DEFAULT SERVICING
CORPORATION; and DOES I through X,
and ROES I through X, inclusive

Defendants.

CASE NO. 2:12-cv-01767-GMN-PAL

**STIPULATION AND ORDER TO
DISMISS COMPLAINT WITH
PREJUDICE**

23 Plaintiffs Jeffrey D. Hart and Anita L. Hart ("Plaintiffs") and Defendants US Bank
24 National Association as Trustee for Asset-Backed Pass-Through Certificates, Series 2004-WWF1
25 by its Attorney in Fact Wells Fargo Bank, N.A., Successor by Merger to Wells Fargo Home
26 Mortgage, Inc. ("US Bank"), Wells Fargo Bank, N.A., named as America's Servicing Company
27 ("Wells Fargo,"), and National Default Servicing Corporation ("NDSC," together with US Bank
28 and Wells Fargo, "Defendants") stipulate as follows:

- 1 1. The Complaint is dismissed in its entirety with prejudice.
- 2 2. The preliminary injunction issued in Clark County District Court Case No. A-12-
- 3 667883-C is dissolved.
- 4 3. Each party will bear its own attorneys' fees and costs in this matter and in the
- 5 related Clark County District Court action.
- 6 4. Defendants will postpone the trustee's sale of the real property located at 10741
- 7 Huntington Hills Drive, Las Vegas, Nevada 89144 (the "Property"), to be held no
- 8 earlier than thirty (30) days after the Order upon this Stipulation (the "Order") is
- 9 entered by this Court.
- 10 5. Plaintiffs will vacate the Property within thirty (30) days after the Order is entered,
- 11 and will leave the Property in a safe and secure condition.
- 12 6. All funds ordered by the Clark County District Court to be paid into court or to
- 13 Plaintiffs' counsel will be returned to Plaintiffs.
- 14 7. Plaintiffs will file a copy of the Order in the aforementioned case in Clark County
- 15 District Court within ten (10) days following the Court's entry of the Order to
- 16 Dismiss, and agree to file any additional pleadings as may be necessary to dissolve
- 17 the injunction and dismiss the Clark County District Court action with prejudice.

18 Dated: January 11, 2013.

19 SNELL & WILMER L.L.P.

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27 *Attorneys for US Bank National Association as Trustee
28 for Asset-Backed Pass-Through Certificates, Series
 2004-WWWF1 by its Attorney in Fact Wells Fargo Bank, N.A.,
 Successor by Merger to Wells Fargo Home Mortgage, Inc.
 and Wells Fargo Bank, N.A., named as America's Servicing Company*

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Attorneys for Plaintiffs

ORDER

IT IS SO ORDERED this 11th day of January, 2013.

Gloria M. Navarro
United States District Judge